

And the battleflags are furled,
In the parliament of man,
The federation of the world."

ELEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas.

Wednesday, June 19, 1929.

The Senate met at 10 o'clock a. m., pursuant to recess and was called to order by Lieutenant Governor Barry Miller.

House Bill No. 1.

The question recurred upon the amendment to H. B. No. 1.

Senator Wirtz sent up the following substitute for the amendment:

Substitute for pending amendment:

Amend H. B. No. 1, Committee Substitute, page 16, line 13, by striking out the words "seventy-five" and in lieu thereof insert "thirty-five."

WIRTZ.

The amendment was read.

Senator Thomason moved to table the amendment and the substitute.

Senator Wirtz called for a division of the question.

The motion to table the substitute prevailed by the following vote:

Yeas—22.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Pollard.
DeBerry.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Hornsby.	Williamson.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Nays—6.

Gainer.	Moore.
Holbrook.	Russek.
Love.	Stevenson.

Absent.

Hyer.

(Pair Recorded.)

Senator Wirtz (present,) who would vote nay with Senator Patton (absent), who would vote yea.

The motion to table the amendment prevailed by the following vote:

Yeas—17.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Pollard.
Greer.	Small.
Hardin.	Thomason.
Hornsby.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Neal.	

Nays—9.

Cunningham.	Moore.
Gainer.	Russek.
Holbrook.	Stevenson.
Love.	Westbrook.
Miller.	

Absent.

Cousins.	Williamson.
Hyer.	

(Pair Recorded.)

Senator Wirtz (present), who would vote nay with Senator Patton (absent), who would vote yea.

Senator Small sent up the following amendment:

Amend C. S. H. B. No. 1, page 16, line 13, by striking out seventy-five cents and inserting in lieu thereof "One Dollar."

SMALL.

The amendment was read.

Senator DeBerry moved to table the amendment. The motion prevailed.

Senator Love sent up the following amendment:

Amend S. B. No. 1, on page 18, by striking out of the substitute bill all of lines 4 to 11 inclusive, and by inserting in lieu thereof the following:

Any county in this State that has a special equalization fund, derived from the State and county available funds, shall receive from the appropriation herein provided a sum not to exceed Twelve Thousand and Five Hundred (\$12,500.00) Dollars for each year of the biennium to supplement the equalization fund thereof, subject to the approval of the State Board of Education.

LOVE.

The amendment was read.

Senator Pollard moved to table

the amendment. The motion prevailed.

Senator Greer sent up the following amendment:

Amend C. S. H. B. No. 1. by adding a new section after Section No. 9, to be known as 9a.

Section 9a. Any school in this State which by reason of low property valuations or insufficient scholastics is unable to maintain a first class school in their own district shall be permitted to transfer any or all of their scholastics to any convenient school maintaining first class standards and the State Aid which the school would otherwise be entitled to under the provisions of this Act shall be transferred to the school which accepts their pupils provided that the pupils thus transferred shall carry with them their scholastics apportionment and be entitled to attend the school to which they are transferred the full length of its term without being charged any tuition.

This transfer may be effected by the concurrence of the boards of trustees of the districts involved and in case the districts become consolidated under the laws of the State the consolidated districts shall be entitled to the bonus otherwise provided for in this bill, as a reward for the consolidation, and shall be entitled to the same grant for transportation as otherwise provided for in this bill.

GREER.

The amendment was read.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House granted the request of the Senate for the appointment of a Free Conference Committee on S. B. No. 4. The following are appointed on the part of the House:

WALLACE,
HORNADAY,
HUBBARD,

MOSELEY,
THOMPSON.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

By Senator Berkley:

S. B. No. 160, A bill to be entitled "An Act providing for certain compensation of County Commissioners in Presidio County in connection with public roads; enacting provisions relating to public roads in said county; and declaring an emergency.

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Witt:

S. B. No. 161, A bill to be entitled "An Act to amend Art. 2922a, Revised Civil Statutes of 1925, as amended by Chapter 78 of the First Called Session of the Fortieth Legislature, being H. B. No. 89, so as to require County School Trustees to abolish Rural High School Districts when petitioned so to do by a majority of the voters residing in such Districts.

The bill was read first time and referred to Committee on Educational Affairs.

Bills and Resolutions.

S. B. No. 162, A bill to be entitled "An Act to amend Chapter 3, Title 67 of the Revised Civil Statutes of Texas, by adding Article 4056-B and by authorizing the Game, Fish and Oyster Commissioner of Texas or the Game, Fish and Oyster Commission of Texas to lease a portion of the Medina river for occupation for hunting, bathing and fishing purposes and authorizing the Game, Fish and Oyster Commissioner or the Game, Fish and Oyster Commission and its employees to enter upon said property for certain purposes; enacting regulations relating thereto and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Neal:

S. B. No. 163, A bill to be entitled "An Act to amend Article 5440 of the Revised Civil Statutes of the State of Texas, adopted in 1925, Authorizing the appointment of a state librarian, defining the qualifications and duties, prescribing the compensation thereof, and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Greer:

S. B. No. 164, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of Teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

The bill was read first time and referred to Committee on Educational Affairs.

By Senator Berkeley:

S. B. No. 165, A bill to be entitled "An Act to create the One Hundred Twelfth Judicial District of Texas and to designate the counties constituting said District, and fixing the time for holding courts therein; amending subdivision 33 of Article 199 of the Revised Statutes of 1925, reorganizing the Twenty-third Judicial District of Texas, and designating the counties constituting said district and fixing the time for holding court in the various counties of said District, and declaring an emergency."

The bill was read first time and referred to Committee on Judicial Districts.

Simple Resolution No. 13.

Senator Hornsby sent up the following resolution:

On the death of Honorable W. D. Cowan of San Saba, Texas.

Whereas, Death has claimed Hon. William Dickey Cowan of San Saba, Texas, he having been at the time of his death sixty-seven years of age and editor of the San Saba Star which he established in 1902. Mr. Cowan died suddenly at his home at San Saba on Monday night, June 17, 1929. He was a veteran newspaperman, a native of Mississippi, was widely known, having been prominent in politics and as a member of the Texas Press Association and the Texas Editorial Association. He served his county as Representative in the 34th Legislature, was for a number of years secretary to Con-

gressman James L. Slayden and served as Chief Clerk in the State Marketing and Warehouse Department during 1917-18. He afterwards was appointed to the position of Commissioners of Markets and Warehouses for the State of Texas.

Funeral services are being conducted today at San Saba by the Rev. R. K. McCall of the Presbyterian church and burial with Masonic honors will be had at the Odd Fellows Cemetery.

Surviving Mr. Cowan are his wife, one son, Joseph B. Cowan, a daughter, Mrs. Howard L. Brookshire of Manor, two brothers, George Cowan of Harlingen and J. H. Cowan of Helena, Arkansas; three sisters, Mrs. G. W. Nullmeyer, Llano; Mrs. R. May, Winano, Mississippi; and Mrs. Carson Thomas, Vaiden, Mississippi.

Now therefore, be it Resolved, by the Senate of the State of Texas that we extend sincerest sympathy to the family and friends of Mr. Cowan in this great loss and bereavement.

That this resolution be printed in the Senate Journal and that a copy of same be mailed by the Secretary of the Senate to Mr. Cowan's widow and to the San Saba Star and San Saba News.

HORNSBY.

The resolution was read and unanimously adopted by a rising vote.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Department.

Austin, Texas, June 18, 1929.

To The Honorable Senate.

Capitol,

Gentlemen,

Subject to your confirmation I have appointed the following named persons to the following positions:

Honorable A. B. Marlin of Hale County, as a member of the Court of Criminal Appeals Commission, for the six year term;

Honorable George A. Christian of Burnet County, as a member of the Court of Criminal Appeals Commission, for the four year term.

Honorable James R. Hamilton of Travis County, as a member of the Board of Pardon Advisors.

Honorable James R. Hamilton, of Travis County, as a member of the Board of Pardons and Paroles, to be effective upon the taking effect of House Bill No. 20 passed by the First Called Session of the Forty-first Legislature.

Respectfully submitted,
(Signed) DAN MOODY,
Governor of Texas.

Read and referred to Committee on Governor's Nominations.

Porters Excused.

On motion of Senator Hornsby, the Senate porters were excused for the afternoon in honor of Emancipation Day.

Recess.

On motion of Senator Russek, the Senate, at 12:05 o'clock p. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

House Bill No. 1.

The question recurred upon the amendment to H. B. No. 1.

On motion of Senator Moore, the amendment was tabled.

Senator Moore sent up the following amendment:

Amend C. S. H. B. No. 1, page 22 by striking out all after the period in line 14 down to and including the word "needed" in line 22 and insert in lieu thereof the following: It shall be the duty of the County Superintendent of Public Instruction to report on the condition of the grounds, building, equipment, teaching force, and financial condition of each school applying for aid; such report to be made under oath before a competent officer qualified to administer oaths, and no aid shall be granted unless it can be shown that all the provisions of this Act and regulations made by the State Board of Education can or have been complied with, and that such amount of aid is actually needed. Said report shall be made on blanks furnished by the State Department of Education and prepared by the State Board of Education.

MOORE.

The amendment was read.

Senator Pollard moved to table the amendment. The motion prevailed by the following vote:

Yeas—22.

Beck.	McFarlane.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Woodul.
Martin.	Woodward.

Nays—5.

Hardin.	Wirtz.
Miller.	Witt.
Moore.	

Absent—Excused.

Hyer.	Russek.
Patton.	Stevenson.

Senator Moore moved to reconsider the vote by which the Greer amendment was tabled. The motion prevailed.

The motion to table was lost.

Senator Greer sent up the following substitute for the amendment:

Amend C. S. H. B. No. 1 by adding after Section 9 a new section, No. 9a, as follows:

On the agreement of the boards of trustees of the districts concerned and subject to the approval of the county superintendent, the trustees may transfer its entire scholastic enrollment, or any number of grades thereof, to a convenient state classified or accredited school, and in such event all of the funds of the district, including the state aid to which the district would otherwise be entitled under the provisions of this act, or such proportionate part thereof as may be necessary, may be used in carrying out the said agreement; provided that the scholastics so transferred shall be entitled, without the payment of other tuition, to the entire term maintained by the receiving district; and provided also that if any of the scholastic residents of the district are not so transferred sufficient funds must be retained to provide them with school facilities for at least six months, and provided further that if the dis-

tricts consolidate during the year the consolidated district shall be entitled to consolidation aid as otherwise provided in this Act.

GREER.

The amendment was read and adopted.

Senator Love sent up the following amendment:

Amend Section 4, on page 18, by adding at the end thereof the following:

Provided that no inspection shall be required in any county which contributes to its equalization fund for the benefit of its rural schools out of its own funds as much as forty thousand dollars per annum.

LOVE.

The amendment was read and adopted.

Senator Holbrook sent up the following amendment:

Amend Committee Substitute for H. B. No. 1 by striking out the words and figures "three million \$3,000,000.00 wherever they appear in the body and caption of the bill and in lieu thereof insert "\$2,400,000.00."

HOLBROOK.

The amendment was read.

Senator Thomason moved the previous question on the amendment and the passage of the bill to third reading. The motion prevailed.

The amendment was lost by the following vote:

Yeas—4.

Gainer.	Small.
Holbrook.	Wirtz.

Nays—22.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Pollard.
Greer.	Russek.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
McFarlane.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Cunningham.	Miller.
Hyer.	Stevenson.
Martin.	

The bill passed to third reading by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Hornsby.	Williamson.
Love.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.
Neal.	

Nays—2.

Holbrook.	Wirtz.
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Absent.

Hyer.	Miller.
Martin.	Stevenson.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1 was put on its third reading and final passage, by the following vote:

Yeas—26.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nays—1.

Holbrook.

Absent.

Hyer.	Stevenson.
Martin.	Wirtz.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Hornsby.
DeBerry.	Hyer.

Love.	Russek.
McFarlane.	Small.
Miller.	Thomason.
Moore.	Westbrook.
Neal.	Williamson.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.
Pollard.	

Nays—1.

Holbrook.

Absent.

Martin.

Wirtz.

Stevenson.

Speaker Barron Speaks.

On motion of Senator Westbrook, Hon. W. S. Barron, Speaker of the House, was invited to address the Senate. The Chair introduced Mr. Barron who made a brief address.

Senate Bill No. 111.

Senator Witt moved to take up out its regular order S. B. No. 111. The motion prevailed by the following vote:

Yeas—20.

Berkeley.	Pollard.
Cousins.	Russek.
DeBerry.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Love.	Westbrook.
McFarlane.	Williamson.
Moore.	Witt.
Neal.	Woodul.
Parr.	Woodward.

Nays—3.

Gainer.
Hornsby.

Parrish.

Present—Not Voting.

Wirtz.

Absent.

Beck.	Martin.
Cunningham.	Miller.
Greer.	Patton.
Hyer.	

The Chair laid before the Senate the following bill:

By Senator Witt:

S. B. No. 111, A bill to be entitled "An Act defining building and loan associations, providing for their incorporation and prescribing the terms, conditions and regulations up-

on which such companies may carry on their business in Texas; etc., and declaring an emergency."

The Committee report carrying amendments was adopted.

Senator Witt sent up the following amendment:

Amend Section 68, by striking out the first sentence of said section, which sentence begins with the words "Each foreign building and loan association" and ends with "address of such agent," and by substituting in lieu of such sentence, the following:

"Each foreign building and loan association shall, within sixty days after this Act takes effect, file with the Board of Insurance Commissioners, a written statement, naming each and every person authorized in this State to solicit stock subscriptions or to accept loan applications for such company; such statement may be added to from time to time, and shall, in addition to the name, give the post office address of such agent."

WITT.

The amendment was read and adopted.

Senator Witt sent up the following amendment:

Section 69. Amend Section 69, by striking out the last sentence of said section, which sentence begins with the words "A failure to procure," and ends with "shall constitute a separate offense," and by substituting in lieu of said sentence, the following:

"A failure to procure such permit or certificate of authority before beginning or continuing business (if already engaged in such business when this act takes effect), within the time provided by Section 67 of this Act, shall be a misdemeanor and subject the offender, its or their officers, agents and representatives to a fine of not more than five hundred dollars, and each separate business transaction shall constitute a separate offense."

WITT.

The amendment was read and adopted.

Senator Woodward sent up the following amendments:

Amend S. B. No. 111 as follows:

By striking out the word fifteen on line 16, page 28, and insert

therein the word "twenty," and by striking out the word fifteen in line 18, page 28, and insert therein the word "twenty."

WOODWARD.

The amendment was read and adopted.

Amend S. B. No. 111 by striking out the word "one" in line 20, page 28, and insert in lieu thereof the word "two."

WOODWARD.

Read and adopted.

The bill as amended passed to engrossment.

Simple Resolution No. 17.

Senator Woodward sent up the following resolution:

Whereas, "The Afro-American," a negro newspaper published in the City of Baltimore, Maryland, in its issue of June 15, 1929, carries a full and complete account of the entertainment of the negro wife of the negro Congressman DePriest, by Mrs. Hoover, the wife of President Hoover, at a White House Tea on the 12th day of June, 1929; and,

Whereas, Said newspaper carries the picture of said wife of the negro Congressman DePriest, together with a copy of the special invitation forwarded to her by Mrs. Hoover by special messenger, together with description of the dress worn by the wife of the negro Congressman; and,

Whereas, The account of the entertainment of the wife of said negro Congressman DePriest appears to be full and complete; and,

Whereas, The people of Texas are entitled to know the true facts as they appear in said issue of said Afro-American; and

Whereas, The San Antonio Express, a daily newspaper published in the South, has editorially criticized the action of the Senate of Texas in adopting a resolution condemning the action of Mrs. Hoover in entertaining the negro wife of Congressman DePriest at a tea given in the White House, and endorsed and condoned the action of Mrs. Hoover.

Therefore, Be it Resolved By the Senate of Texas that the San Antonio Express, the defender of the action of Mrs. Hoover and the outstanding critic of the Senate of Texas in adopting said resolution,

be and it is hereby requested to reproduce the front page account of said entertainment, the photograph of said Congressman's wife, together with copy of the special invitation forwarded to her by special messenger at the request of Mrs. Hoover and description of the dress worn by said negro woman at said reception, all of which appear in said negro newspaper, a copy of said articles being hereto attached.

Woodward, Russek, Hornsby, Martin, Parr, Westbrook, Cunningham, Wirtz, Miller, Small, Thomason, Patton, Witt, Berkeley, Gainer, Greer, Parrish, Beck, Moore, McFarlane, and Cousins.

Mrs. DePriest Attends Hoover Tea at White House

Washington, D. C., (CNS) Mrs. Oscar DePriest was a guest at the White House on the afternoon of June Twelfth when Mrs. Hoover entertained at one of a series of teas in honor of the wives and relatives of the Congressional group.

Mrs. DePriest wore a charming afternoon ensemble of the loveliest pale blue georgette. The simplicity of the Costume was relieved only by a beautiful rhinestone buckle, on the left side of the finely pleated skirt. A coat, the shortest of jackets, completed the ensemble.

She wore a large hat of rose-gray hair braid, trimmed with a cluster of hand-cut dove-ray velvet leaves, and a velvet rose placed modishly on the underbrim, framed her face becomingly. She carried a lovely bag which matched her hat, rose-gray watersnake slippers and a large pointed fox scarf.

Mrs. DePriest was graciously received both by Mrs. Hoover, and the ladies of the Cabinet, who, as usual, assisted in entertaining.

The invitation to tea was delivered to Mrs. DePriest by messenger last Wednesday. It was engraved on a heavy vellum card carrying the White House insignia and read:

"Mrs. Hoover requests the pleasure of the company of Mrs. DePriest on Wednesday afternoon, June the twelfth at four o'clock."

Congress has about made up its mind to recess about the last of this week. Representative and Mrs. DePriest will therefore join the exodus of lawmakers and their families, and will be in Chicago, where they are

impatiently awaited by their son and daughter-in-law, Mr. and Mrs. Stanton DePriest, and an adorable grandchild, not later than the first of July.

They plan to spend several weeks in Idlewild, as usual, and will return to Washington early in the fall.

(The above article appeared in the Afro-American, Baltimore, June 15, 1929).

The resolution was read.

Senator Love sent up the following amendment:

Amend by adding the following:

"And said San Antonio Express is especially directed to call attention to the fact that the negro newspaper, the Afro-American, of Baltimore, joining with the authors of this resolution, supported Alfred E. Smith for President in the Campaign of 1928."

LOVE.

The amendment was read.

Senator Woodward moved to table the amendment. The motion prevailed.

The resolution was adopted by the following vote:

Yeas—27.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodward.
Moore.	

Nays—1.

Love.

Absent.

Hyer, Woodul.
Thomason.

Simple Resolution No. 18.

Senator Martin sent up the following resolution:

Whereas, Ashley W. Crockett, grandson of David Crockett, that great hero of the Alamo is in the city.

Resolved that he be given the

privilege of the Senate floor and that he be invited to address the Senate.

MARTIN.

Read and adopted.

The Chair appointed Senators Martin, Patton, and Beck to escort Mr. Crockett to the platform.

Mr. Crockett Speaks.

The Chair introduced Mr. Crockett who briefly addressed the Senate.

Senate Bill No. 51.

The Chair laid before the Senate the following bill:

By Senator Neal:

S. B. No. 51, A bill to be entitled "An Act to amend Article 2781, R. S. 1925, relating to term of contract of superintendents, principals, teachers, or other executive officers in independent school districts; etc., and declaring an emergency."

Senator McFarlane sent up the following amendment:

Amend S. B. No. 51, by striking out the word "three," line 17 and the word "four" in line 21 and insert in lieu thereof the word "two."

McFARLANE.

The amendment was read.

Senator Neal moved to table the amendment. The motion was lost by the following vote:

Yeas—9.

Beck.	Neal.
Berkeley.	Pollard.
Cousins.	Witt.
Hornsby.	Woodward.
Love.	

Nays—13.

Cunningham.	Parrish.
DeBerry.	Russek.
Gainer.	Stevenson.
Martin.	Westbrook.
McFarlane.	Williamson.
Miller.	Wirtz.
Parr.	

Present—Not Voting.

Patton.

Absent.

Greer.	Moore.
Hardin.	Small.
Holbrook.	Thomason.
Hyer.	Woodul.

The amendment was adopted.

The bill as amended failed to pass

to engrossment by the following vote:

Yeas—11.

Berkeley.	Neal.
Cousins.	Thomason.
Greer.	Westbrook.
Hardin.	Witt.
Hornsby.	Woodward.
Love.	

Nays—12.

Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Russek.
Martin.	Stevenson.
McFarlane.	Williamson.
Miller.	Wirtz.

Absent.

Beck.	Patton.
Holbrook.	Pollard.
Hyer.	Small.
Moore.	Woodul.

Senate Bill No. 102.

The Chair laid before the Senate on second reading the following bill:
By Senators Wirtz and Moore:

S. B. No. 102, A bill to be entitled "An Act fixing the salary of the official court reporters in each Judicial district composed of one county only, and in which county there is only one district court, etc., and declaring an emergency."

Read second time.

Senator Wirtz sent up the following amendments:

Amend S. B. No. 102, page 147, Senate Journal, by adding at the end of Section 1 the following:

Provided further that nothing in this Act shall be construed as in any way repealing Article 2323 of the Revised Civil Statutes of 1925, nor Chapter 56 of the General Laws of the Regular Session of the Forty-first Legislature, nor shall this Act in any way repeal or amend any local or special law passed at the Regular or First and Second Called Sessions of the Forty-first Legislature of 1929.

WIRTZ.

Read and adopted.

Amend S. B. No. 120, Section 1, by adding

"and also in each judicial district composed of one county which county composes also a portion of another judicial district."

WIRTZ.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 102 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Adjournment.

Senator Parr moved to adjourn until 10:00 o'clock tomorrow morning. The motion prevailed by the following vote:

Yeas—12.

Cunningham.	Parr.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Westbrook.
McFarlane.	Witt.

Nays—9.

Berkeley.	Pollard.
Cousins.	Williamson.
Hornsby.	Wirtz.
Neal.	Woodward.
Parrish.	

Absent.

Beck.	Miller.
Holbrook.	Moore.
Hyer.	Patton.
Love.	Thomason.
Martin.	Woodul.

At 5:10 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 17 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 97 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:40 o'clock p. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 155. A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county super-

intendent under the laws of this State; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 138, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporters of the county courts at law in any county having a population of not less than 202,000 and not more than 203,000, according to the 14th Census of the United States of the year 1920, and providing the manner of its payment; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it being a local bill, that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 154, A bill to be entitled "An Act to amend Article 941-a, of the Penal Code of Texas, 1925, and to amend Chapter 53, of the Acts of the Forty-first Legislature, Regular Session, so as to permit the catching of suckers, buffalo, carp, shad and gar, in Williamson County, during the months of June, July and August, by the use of a seine of any size mesh, or by the use of wire, rope or grab hooks, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill, that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 152, A bill to be entitled "An Act to provide that tax collectors shall, in counties having 210,000 population or more, according to the census of 1920 and cities, political subdivisions or tax assessing districts within such counties, shall collect taxes in chronological order in which levied and assessed; prohibiting collectors from receiving payment of taxes for any year if taxes remain unpaid for any prior year, and further providing that any receipt for taxes shall be conclusive evidence for full payment of all taxes prior to and including year for which receipt shows taxes paid; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it being a local bill, that it be not printed.

WIRTZ, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 75, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers, semi-trailers, or other device drawn, transported, or used on the public highways; prescribing the license fees required for their registration; providing for the distribution and apportionment of license fees collected pursuant hereto; prescribing the compensation and duties of the County Tax Collectors in connection with the administration of this Act; making other provisions incidental to the purposes and for the administration of this Act; providing for the enforcement of the provisions of this Act; fixing the date this Act shall take effect; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate:

Sir: We, a minority of your Committee on State Affairs, to whom was referred

H. B. No. 75, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers, semi-trailers, or other device drawn, transported or used on the public highways; prescribing the license fees required for their registration; providing for the distribution and apportionment of license fees collected pursuant hereto; etc., and declaring an emergency."

Have had the same under consideration and beg to differ with the majority of the Committee and report the bill back to the Senate with the recommendation that it do not pass.

HOLBROOK,
PARR.

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 157, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer and clerk in any county of less than one hundred thousand inhabitants, in which there is a city having an actual population of 38489 inhabitants or more; providing a means for ascertaining said population; regulating the salary of said stenographer; providing for his removal; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it being a local bill that it be not printed.

WIRTZ, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, June 12, 1929.
Hon. Barry Miller, President of the Senate:

Sir: We, a majority of your Committee on State Affairs, to whom was referred

S. B. No. 147, A bill to be entitled "An Act conferring upon the Railroad Commission of Texas the power to regulate the manufacture, sale, delivery and distribution of ice, prescribe and enforce reasonable and just rates, rules and regulations, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, June 18, 1929.

Hon. Barry Miller, President of the Senate:

Sir: We, a minority of your Committee on State Affairs, to whom was referred

S. B. No. 147, A bill to be entitled "An Act conferring upon the Railroad Commission of Texas the power to regulate the manufacture, sale, delivery and distribution of ice, prescribe and enforce reasonable and just rates, rules and regulations, etc., and declaring an emergency."

Have had the same under consideration, and beg to differ with the majority of the committee and report the bill back to the Senate with the recommendation that it do not pass.

WOODWARD,
SMALL,
HOLBROOK.

Committee Room,

Austin, Texas, June 19, 1929.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on Agriculture, to whom was referred

S. B. No. 158, A bill to be entitled "An Act to promote the commercial potato growing industry in Texas; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate with recommendation that it do pass and be not printed.

CUNNINGHAM, Chairman.

Committee Room,

Austin, Texas, June 19, 1929.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 160, A bill to be entitled

"An Act providing for certain compensation of County Commissioners in Presidio County in connection with public roads; enacting provisions relating to public roads, in said county; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, June 18, 1929.

Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 140, A bill to be entitled "An Act authorizing the Commissioners' Courts of the several counties in Texas to issue refunding road bonds that have been issued by authority of statutes enacted pursuant to section 52 of article 3 of the Constitution of Texas, for and on behalf of political subdivisions and defined districts and consolidated districts in such counties, and authorizing the Commissioners' Courts to pass all appropriate orders to carry out such refunding; and to levy ad valorem taxes in payment thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

By Hornsby.

S. B. No. 140.

A BILL

To Be Entitled

An Act authorizing the Commissioners' Courts of the several counties in Texas to issue refunding bonds for the purpose of refunding road bonds that have been issued by authority of statutes enacted pursuant to Section 52 of Article 3 of the Constitution of Texas, for and on behalf of political subdivisions and defined districts and consolidated districts in such counties, and authorizing the Commissioners' Courts to pass all appropriate orders to carry out such refunding; and to levy ad

valorem taxes in payment thereof and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Commissioners' Courts of the several counties in Texas shall have authority to refund any Road Bonds that have been issued or that may hereafter be enacted pursuant to Section 52 of Article 3 of the Constitution of Texas, when such Road Bonds have been issued for and on behalf of a political subdivision or defined district or consolidated district in such county. Such refunding bonds shall be made to mature serially over a period not exceeding forty years from their date, as may be determined by the Commissioners' Court, and they may be made to bear interest at the same or a lower rate than the original bonds which are being refunded. The Commissioners' Court shall have authority to pass all appropriate orders to properly carry out such refunding. When providing for such refunding, the Commissioners' Court shall provide for the levy of ad valorem taxes on all taxable property in the political subdivision, or defined district or consolidated district, as the case may be, sufficient to pay the current interest on such refunding bonds and to pay the principal as it matures.

Sec. 2. The fact that the Commissioners' Court already have the power to authorize the refunding of County bonds but do not have that power in reference to bonds of political subdivisions or Road Districts, thus resulting in loss and inconvenience to road districts whose bonds should be refunded, the public importance of this measure and the near approach of the end of the session of the Legislature, constitute an emergency and an imperative public necessity that the rule requiring bills to be read on three separate days be suspended, and such rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, June 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 156, A bill to be entitled "An Act fixing the compensation of County Auditors in every county having a population of not less than 15,975 and not more than 16,300 according to the 1920 United States census and prescribing how same shall be paid; providing that such shall be the salary of said Auditors so long as the taxable values in the county shall not exceed the sum of fifteen million dollars for the next preceding year; Commissioners' Court fixing said salary when said taxable values are less than said sum; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

By Cousins.

S. B. No. 156.

A BILL To Be Entitled

An Act fixing the compensation of County Auditors in every county having a population of not less than 15,975 and not more than 16,300 according to the 1920 United States census and prescribing how same shall be paid; providing that such shall be the salary of said Auditors so long as the taxable values in the county shall not exceed the sum of Fifteen-million Dollars for the next preceding year; Commissioners' Court fixing said salary when said taxable values are less than said sum; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In every county in this State having a population of not less than 15,975 nor more than 16,300 according to the 1920 United States census the compensation of each County Auditor so long as the taxable values in said county shall not exceed the sum of Fifteen-million Dollars for the next preceding year shall be not less than \$1,800.00 nor more than \$2,400.00 per year, as the Commissioners' Court may direct to be paid in equal monthly installments out of the general county fund. Provided that when such taxable values for the next preceding year shall be in excess of Fifteen

million Dollars the salary of each County Auditor shall be as provided in Article 1645 of the Revised Civil Statutes of 1925.

Sec. 2. The fact that the County Auditors of said counties are required to devote their entire time to the discharge of their duties, and further fact that salary provided by present laws is inadequate for counties of a population of 15,975 to 16,300 population with taxable values of less than Fifteen-million Dollars need the services of a competent Auditor, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage and said rule is hereby suspended, and it is so enacted.

Committee Room,
Austin, Texas, June 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 159, A bill to be entitled "An Act fixing the compensation of deputies and assistants of certain district and county officers in counties having a population of over thirty-six thousand five hundred inhabitants containing no city with a population of twenty-five thousand inhabitants, and having property of an assessed valuation exceeding thirty million dollars as shown by the tax rolls for the last preceding year; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the attached committee amendment, and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

Committee Amendment.

Amend Senate Bill No. 159, by adding after the word inhabitants wherever it appears in the caption and the body of the bill the following:

"According to the Fourteenth Census of the United States of the year 1920."

By Parr

S. B. No. 159.

A BILL

To Be Entitled

An Act fixing the compensation of deputies and assistants of certain district and county officers in counties having a population of over thirty-six thousand five hundred inhabitants, containing no city with a population of twenty-five thousand inhabitants, and having property of an assessed valuation exceeding thirty million dollars as shown by the tax rolls for the last preceding year; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That in all counties of this State having a population of over thirty-six thousand five hundred inhabitants containing no city with a population of twenty-five thousand inhabitants, and having property of an assessed valuation exceeding thirty million dollars as shown by the tax rolls for the last preceding year, the maximum annual compensation allowed each deputy or assistant to any officer named in Article 3883a of the Revised Civil Statutes of Texas, 1925, shall be as follows:

First Assistant or Chief	
Deputy	\$2,400.00
Heads of Departments	1,800.00
Other Assistants or Deputies	1,500.00

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The fact that the deputies and assistants in such counties are underpaid creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, June 19, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 150, A bill to be entitled "An Act to provide for the collection of delinquent taxes in independent school districts where the local ad

valorem tax is assessed and collected locally by or under the direction of the trustees of such district, and to repeal all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

NEAL, Chairman.

By Pollard.

S. B. No. 150.

**A BILL
To Be Entitled**

An Act to provide for the collection of delinquent taxes in independent school districts where the local ad valorem tax is assessed and collected locally by or under the direction of the trustees of such district, and to repeal all laws and parts of laws in conflict herewith."

Be it enacted by the Legislature of the State of Texas:

Section 1. That it shall be the duty of the Assessor and Collector of taxes in all independent school districts in the State of Texas, in which the local ad valorem tax is assessed and collected locally, within thirty days after this act takes effect, and annually thereafter, between the first day of February and the fifteenth day of February in each year, to make up a list of all delinquent taxes due said district and file the same with the County Tax Collector of the county in which such district is located.

The list to be made up in the first instance shall include all delinquent taxes due such districts and unpaid on the date when this act takes effect. Thereafter, the list to be filed annually, shall include only delinquent taxes unpaid on the tax list for the year next preceeding the date of its compilation and filing. Such delinquent list shall be made up in convenient form and shall show the year for which the tax was levied, the name and correct post office address of the party against whom the tax was levied, the property against which the same was levied and if real estate, the number of acres and name of the league where located or the lots and blocks and name of the town or city, if town or city property, the valuation on which levied, the amount of the tax and the penalty to be added and the total amount due.

In making up such lists, the Assessor and Collector may, in the interest of economy, omit therefrom all or a part of the items of tax assessed and levied against personal property only.

Sec. 2. It shall be the duty of the County Tax Collector of the county to receive and file the delinquent lists herein provided for as a part of the records of his office, and to compile the same as a part of the regular delinquent tax list of the county in which such independent school districts may be located, and thereafter such delinquent taxes shall be handled and collected as other delinquent taxes due the county are collected, but for the use and benefit of the districts from which the same were certified.

Sec. 3. The County Tax Collector shall be entitled to a fee of not more than five cents per line, to be accounted for as "Fees of his office," the amount to be agreed upon by the Trustees of such district and the County Tax Collector, for filing and compiling the taxes so certified as a part of the regular delinquent tax list of the county, to be paid by the district from which the same was certified, but in computing the fee herein allowed each complete item of tax shall be counted as one line.

All other charges and costs shall be charged against the Tax Payer and added to and collected with the tax and accounted for as such fees and costs are now accounted for in collecting other delinquent taxes due the county.

Sec. 4. All acts and parts of acts in conflict herewith are hereby repealed.

Sec. 5. The fact that there is not now a law providing for the recording of delinquent tax lists due school districts, together with the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and it is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room.

Austin, Texas, June 19, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred

S. B. No. 161, A bill to be entitled "An Act to amend Article 2922a, Revised Civil Statutes of 1925, as amended by Chapter 78 of the First Called Session of the Fortieth Legislature, being H. B. No. 89, so as to require county school trustees to abolish rural high school districts when petitioned so to do by a majority of the voters residing in such districts."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

NEAL, Chairman.

By Witt.

S. B. No. 161.

A BILL

To Be Entitled

An Act to amend Article 2922a, Revised Civil Statutes of 1925, as amended by Chapter 78 of the First Called Session of the Fortieth Legislature, being H. B. No. 89, so as to require county school trustees to abolish rural high school districts when petitioned so to do by a majority of the voters residing in such districts.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2922a, Revised Civil Statutes of 1925, as amended by Chapter 78 of the First Called Session of the Fortieth Legislature, being H. B. No. 89, be amended so as to hereafter read as follows:

Article 2922A. In each organized county in this State, and in any county which shall hereafter be organized, the county school trustees shall have the authority to form one or more rural high school districts, by grouping contiguous common school districts having less than four hundred scholastic population and independent school districts having less than two hundred and fifty scholastic population for the purpose of establishing and operating rural high schools, provided also that the county school trustees may annex one or more common school districts or one or more independent school districts having less than two hundred and fifty scholastic population to a common school district having four hundred or more scholastic population or to an independent district having

two hundred and fifty or more scholastic population upon the approval of the board of trustees of each school district affected; provided that when one or more common school districts are so annexed to a common school district having four hundred or more scholastic population, or to an independent district having two hundred and fifty, or more scholastic population, as the case may be, a board of trustees shall be elected from the district at large and shall have the management and control of the district as enlarged until the time for the next election and qualifications of trustees for common and independent districts, as provided by general law. Provided that the county school trustees shall abolish a rural high school district when petitioned so to do by a majority of the voters residing in such rural high school district, and when such district has been abolished, the elementary districts shall automatically revert back to their original status, with the exception that in the event there are any outstanding indebtednesses against the said rural high school district, each elementary district shall assume its proportional part of the debts.

Committee Room,

Austin, Texas, June 19, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 153, A bill to be entitled "An Act providing that when a claim or claims are filed under Chapter 17 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, that a bond may be filed providing the amount and terms of such bond for notice and prescribing period of the limitation of action to enforce such bond; providing incidental matters and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal only.

WOODWARD, Chairman.

By Gainer.

S. B. No. 153.

A BILL

To Be Entitled

An Act providing that when a claim

or claims attempting to fix a lien are filed under Chapter 17 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-ninth Legislature, that a surety bond may be given by the contractor or contractors affected; providing for the release of the lien securing said claim, and for the payment of the moneys, bonds, or warrants due said contractor or contractors upon the filing and approval of said bonds; also providing for the limitation of actions to establish said claims; for incidental matters, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That whenever any claim or claims shall be filed attempting to fix a lien, secured or claimed by any instrument filed under the provisions of Chapter 17, of the General Laws of the State of Texas, passed by the Thirty-ninth Legislature in Regular Session, that the contractor or contractors against whom such claim or claims are made, may file a bond with the officials of the State, county, town or municipality whose duty it is to pay the moneys, bonds or warrants to such contractor or contractors. Said bond shall be double the amount of the claims filed, and shall be payable to the claimant or claimants. It shall be executed by the party filing same as principal, and by a corporate surety authorized under the laws of Texas to execute such bond as surety, and shall be conditioned substantially that the principal and surety will pay to the obligees named, or their assigns, the amount of the claim or claims, or such portion or portions thereof as may be proved to have been liens, under the terms of Chapter 17, General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature. The filing of said bond and its approval by the proper official of the State, county, town or municipality, shall release and discharge

all liens fixed or attempted to be fixed by the filing of said claim or claims, and the official or officials whose duty it is to pay the moneys, bonds or warrants shall pay or deliver the same to the contractor or contractors, or their assigns. Said official shall send by registered mail an exact copy of said bond to all claimants.

Sec. 2. At any time within six months from the date of filing of said surety bond, the party making or holding such claim or claims may sue upon such bond, but no action shall be brought on such bond after the expiration of such period. One action upon said bond shall not exhaust the remedy thereon, but each obligee or assignee of an obligee named therein may maintain a separate suit thereon in any court and in any jurisdiction. If any claimant or claimants in an action establish the fact that they were entitled to a lien under the provision of Chapter 17 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-Ninth Legislature, the court shall fix a reasonable attorney's fee in favor of the claimant or claimants, which shall be taxed as part of the costs in the case. The bond provided in Section One of this Act shall also be conditioned that the principal and surety will pay all court costs adjudged against the principal in actions brought by claimant or claimants thereon.

Sec. 3. The fact that a great many claims of liens are filed under the provisions which are unjust, and for the further reason that contractors under this chapter are often times harassed by such claims, and at the present time do not have adequate means of protecting themselves, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring the reading of bills on three several days in each House, and said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

**In Memory
of
Honorable J. Herchel Boggs**

SIMPLE RESOLUTION NO. 19.

Senator Woodward sent up the following resolution:

Whereas, on June 18, 1929, the Hon. J. Herchel Boggs of San Angelo passed into the Great Beyond; and,

Whereas, as a public servant and as a representative of a great people he faithfully served as a member of the House of Representatives during the Thirty-ninth and Fortieth Legislatures and as a private citizen exemplified and displayed those traits of character that gave him a place in the hearts of his countrymen. Therefore, be it

Resolved, That the members of the Senate of the Forty-first Legislature extend to his bereaved family, his relatives and his friends their most heart-felt sympathy and that this resolution be recognized as a token of the esteem and confidence in which he was held by his colleagues, friends and associates. Be it further

Resolved, That a page in the Senate Journal be set apart and dedicated to his memory and that the Secretary of the Senate be requested to forward to the family a copy of this resolution.

WOODWARD,
LOVE,
BERKELEY.

Read and unanimously adopted by a rising vote.